

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Marathon Petroleum Company, LP,

Case No. 3:16-cv-2694

Plaintiff

v.

ORDER

Noil Petroleum Corporation,

Defendant

On January 28, 2020, I issued a Memorandum Opinion and Order and Judgment Entry granting Plaintiff Marathon Petroleum Company, LP's motion for summary judgment. (Doc. Nos 57 & 58). While I recognized Marathon's contractual right to recover attorney fees, I found the evidence provided insufficient to award Marathon the fees requested at the time. (Doc. No. 57 at 12). I then ordered Marathon to supplement its request for attorney fees with a detailed accounting should it wish to collect those fees. (Doc. No. 57 at 13; Doc. No. 58).

Since then, Marathon submitted the requisite evidence. (Doc. Nos. 59, 59-1, & 59-2). Although I gave Defendant Noil Petroleum Corporation the opportunity to object to Marathon's supplemental request, Noil did not file an objection.

Counsel for Marathon represented both Marathon and Third-Party Defendant MPC Investment LLC. Acknowledging that it has no contractual right to attorney fees incurred for its representation of MPC, counsel excluded from its request all fees incurred exclusively for the benefit of MPC. (Doc. No. 59-1 at 2). These excluded entries, along with another two entries that were not directly connected to the case, were clearly noted in the detailed accounting.

Remaining are \$106,984.00 in attorney fees counsel incurred for its work for Marathon on this case. Satisfied with the evidence provided and hearing no objection from Noil, I hereby award Marathon the requested \$106,984.00 in attorney fees, pursuant to the contract between Marathon and Noil. This case is closed.

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge